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CENTRAL FAX CENTER

FEB 28 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : Tsang, et al
Filed : 10/11/2000
Serial No. : 09/686,120
Confirmation No. : 4933
Group Art Unit : 2611
Examiner : Saltarelli, Dominic D.
Docket Number : SNY-P3965
Title : IP Address Discovery for Cable Modem in Set Top Box

To:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence is, on the date shown below, being transmitted by fax to the United States Patent and Trademark Office.

Applicant, Assignee or Reg. Representative: Jerry A. Miller
Reg. No. 30779

Signature: *[Signature]* Date: 2/28/06

TRANSMITTAL LETTER

Sir:

Enclosed herewith, please find the following:

- Notice of Appeal
- Certificate of Fax Transmission Mailing
- Request for Reinstatement of Appeal under MPEP 1204.01.

NO FEE IS REQUIRED FOR THIS SUBMISSION IN VIEW OF THE PRIOR NOTICE OF APPEAL FILED ON 8/15/2005. However, the Commissioner is hereby authorized to deduct any underpayment for these submissions from deposit account 501267.

Respectfully submitted,

[Signature]
Jerry A. Miller

Registration No. 30,779

CUSTOMER NUMBER 24337

Dated: 2/28/2006

Serial No.: 09/686,120

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REQUEST TO REINSTATE APPEAL

Sir:

Applicants hereby respectfully request reinstatement of the appeal to the Board of Appeals and Interferences in the present application for which Notice of Appeal was filed on August 15, 2005. Reinstatement of this appeal is after the Examiner reopened prosecution after a pre-appeal brief conference and applied new art and new rejections. Although the current rejection is not final, the application contains claims that have now been rejected three times.

Applicants wish to note MPEP 1204.01 which reads as follows in its entirety:

1204.01 Reinstatement of Appeal [R-3]

If an appellant wishes to reinstate an appeal after prosecution is reopened, appellant must file a new notice of appeal in compliance with 37 CFR 41.31 and a complete new appeal brief in compliance with 37 CFR 41.37. Any previously paid appeal fees set forth in 37 CFR 41.20 for filing a notice of appeal, filing an appeal brief, and requesting an oral hearing (if applicable) will be applied to the new appeal on

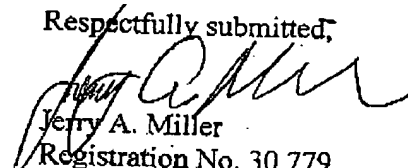
Serial No.: 09/686,120

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the same application as long as a final Board decision has not been made on the prior appeal. If, however, the appeal fees have increased since they were previously paid, then appellant must pay the difference between the current fee(s) and the amount previously paid. Appellant must file a complete new appeal brief in compliance with the format and content requirements of 37 CFR 41.37(c) within two months from the date of filing the new notice of appeal. See MPEP § 1205.<

In view of MPEP1204.01, it is clear that no fee is required to reinstate the present appeal. Applicants will be submitting an appeal brief within two months.

Respectfully submitted,


Jerry A. Miller
Registration No. 30,779
CUSTOMER NUMBER 24337
Dated: 2/28/2006

Serial No.: 09/686,120

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